

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

James M. Cuyler,	)	
	)	
Plaintiff,	)	Case No. 3:10cv1561-CMC
	)	
v.	)	OPINION AND ORDER
	)	DENYING MOTION TO
Department of the Army,	)	ALTER OR AMEND JUDGMENT
	)	
Defendant.	)	
	)	

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This matter is before the court on Plaintiff's "objections" to this court's order and judgment entered October 6, 2010. The court deems these objections to be a motion to alter or amend the judgment under Rule 59(e).<sup>1</sup>

Rule 59 motions to alter or amend a judgment are disfavored. The Fourth Circuit recognizes only three limited grounds for a district court's grant of a motion under Rule 59(e), of the Federal Rules of Civil Procedure: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available earlier; or (3) to correct a clear error of law or prevent manifest injustice. *Hutchinson v. Staton*, 994 F.2d 1076, 1081 (4th Cir. 1993). A party's mere disagreement with the court's ruling does not warrant a Rule 59(e) motion. *Id.* (citing *Atkins v. Marathon LeTorneau Co.*, 130 F.R.D. 625, 626 (S.D. Miss. 1990)).

Plaintiff does not suggest any change in controlling law. Neither does he offer any arguments not previously considered and rejected or otherwise direct the court to any clear error of law or fact which would result in manifest injustice. The court, therefore, finds no basis on which to modify its earlier ruling.

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<sup>1</sup> The Federal Rules of Civil Procedure do not allow for "objections" to an order and judgment.

Plaintiff is advised that his right to further review of this court's decisions is through appeal to the Fourth Circuit Court of Appeals. Any further filings in this court shall be resolved by docket text order which may contain a ruling with no further explanation. A copy of any such orders will be mailed to Plaintiff.

For the reasons set forth above, the court deems Plaintiff's objections to be a motion to alter or amend judgment under Rule 59(e) of the Federal Rules of Civil Procedure and denies that motion.

IT IS SO ORDERED.

s/ Cameron McGowan Currie

CAMERON MCGOWAN CURRIE  
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
October 19, 2010